

REMARKS

Paragraph 6 on page 14 of the Office Action dated April 29, 2005 rejects the applicant's remarks of November 29, 2004 and highlights various parts of G.707 (03/96) with the aim of showing that this document discloses conversion between a contiguously concatenated data structure and a virtually concatenated data structure.

Due to discrepancies in the page numbers of the various part of G.707 which are referred to in the Office Action, the Examiner is respectfully requested to check that the examination copy of G.707 is the version of 03/96 which is prior art. Later versions of G.707 may not be prior art. It is noted that conversion between contiguous and virtual concatenation was not defined until the version of G.707 published in 1999/2000. This is supported by G.707 (03/96) at page 42 in section 8.1.7.2 where it is stated that "The details and the extensibility of the virtual concatenation method to the AU-4s are under study".

With reference to the parts highlighted by the Examiner, the following is noted to demonstrate that the rejections of paragraph 6 are unfounded. The page numbers below refer to G.707 (03/96).

Section 8.1.7.1 discloses "a contiguously concatenated virtual container" having the structure VC-4-Xc. An explanation of this structure was provided in our response of November 10, 2004. This container is distinct from "a virtually concatenated information structure" recited in pending claims 137, 155, 159, 163, 170, 171 and 172 with the data structure VC-4-4vc and as shown on page 6, line 6 of the present application. In summary, a virtual container is an entity having bandwidth, whereas virtual concatenation is a process.

Figure 8-8 corresponds to the VC-4-Xc container. This figure is identical to Figure 1 of the present application in all material respects and is identified as prior art in the description on page 4, line 14. No part of Figure 8-8 shows “a virtually concatenated information structure” as recited in the pending independent claims of the present application.

Page 85, Section 10.2.3 does not refer to a virtual concatenation process but instead relates to mapping of an ATM signal into contiguous concatenated VC-2 containers. Firstly, this part relates to ATM, and not SDH as required by the present invention. Secondly, the mapping relates to transformation into a VC-2-mc container using contiguous concatenation, whereas the present invention relates to transformation into a data structure which is virtually concatenated.

Page 83, Section 10.2 again relates to mapping of ATM cells using the concatenated structure VC-x-mc. No conversion into a virtually concatenated data structure is disclosed.

Page 84, Section 10.2.1 relates to mapping into a container having the structure VC-4-Xc. This section does not recite “a virtually concatenated data structure” as required in the pending independent claims.

Paragraph 6 of the Office Action further rejects the applicant’s remarks of November 29, 2004 in that the Examiner held that G.707 (03/96) does not teach a frame sequence of a virtual concatenated information structure by referring to various parts of G.707 (03/96). With reference to these parts, the following is noted to demonstrate that the rejection of paragraph 6 is unfounded:

Page 49, Section 8.3.8, and Figures 8-13 and Figures 8-14 do not teach concatenation (virtual or contiguous) but merely refers to a multiframe indication byte. This is an entirely different concept from a sequence of frames in the virtually concatenated information structure as required by the pending independent claims.

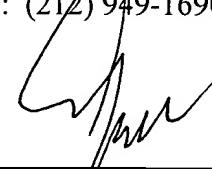
Page 61, Section 9.3.1.1 identifies a “Path Trace: J1” and relates to a Path Access Point Identifier so that a path receiving terminal can verify its continued connection to the intended transmitter. Accordingly, this section does not teach a sequence of frames in the virtually concatenated information structure.

It is further noted that patents in other jurisdictions have been granted with substantially identical independent claims to the instant U.S. patent application. The mention of grant of European Patent No. 0901306 was published on April 28, 2004 and includes claims which are substantially identical to claims 137 and 155 of the instant U.S. application. Furthermore, the applicant was informed on June 10, 2005 of the intention of the European Patent Office to grant a patent for European Application No. 02011150 which includes claims that are substantially identical to claims 159 and 163 of the instant U.S. application.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

KIRSCHSTEIN, OTTINGER, ISRAEL & SCHIFFMILLER, P.C.
Attorneys for Applicant(s)
489 Fifth Avenue
New York, New York 10017-6105
Tel: (212) 697-3750
Fax: (212) 949-1690



Alan Israel
Reg. No. 27,564